

REMARKS/ARGUMENTS

Claims 6-12, 14-16, and 20-26 are pending in this application, claims 6, 8, 11, 14-16, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Leggett et al., U.S. Patent No. 4,886,115. Claims 21-26 have been allowed and claims 7, 9, 10, and 12 have been found allowable if rewritten into independent form.

1. Claim Rejections – 35 U.S.C. § 112

Claim 10 stands rejected under 35 U.S.C. § 112 as being indefinite. Claim 10 is being amended to clarify its subject matter.

2. Claim Rejections – 35 U.S.C. § 102(b)

Claims 6, 8, 11, 14-16, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Leggett et al. '115. Leggett et al. '115 was cited as teaching a first and a second piston, where the second piston is slideably attached to the first piston. Leggett et al. '115 was also cited as teaching a hanging plate. In response, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).

Claim 6 as amended¹ recites a first and second piston, wherein the “second piston [is] configured to coaxially move in relation to said first piston...”. In contrast, the upper and lower shear wedges (214, 218) of Leggett et al. '115 do not move coaxially with relation to one another (*see* FIG. 5b). Claim 14 has also been amended with this response so the hanging plate is “frangibly coupled to said first piston.” Support for this amendment can be found on page 8,

lines 15 – 20 and in Figure 4. The flapper valve 208 of Leggett et al. '115 is not frangibly connected.

Since Leggett et al. '115 do not contain each and every element of claims 6 or 14, Leggett et al. '115 do not anticipate these claims (including their respective dependent claims). It is therefore respectfully requested that the rejection of claims 6 and 14 (and dependent claims) be reconsidered and removed.

3. Allowable Subject Matter

Claims 21-26 have been allowed and claims 7, 9, 10, and 12 have been found allowable if rewritten into independent form. In response, claim 7 has been amended to an independent claim by including all of the limitations of its base claim and any intervening claims. Claims 9, 10, and 12 have been amended to depend from claim 7. As such, claims 7, 9, 10, and 12 are now in condition for allowance.

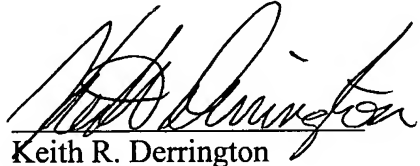
¹ Support for this amendment is found in Figure 7, page 9 lines 3-5, and page 10 lines 10 – 15 of the application as filed.

CONCLUSION

It is respectfully urged that in light of the above stated amendments and submissions that applicants' claims are patentable in light of the prior art. It is believed that the foregoing response is full and complete. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of the application, the Examiner is invited to contact the Applicant's representative by telephone or fax.

Respectfully submitted,

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